<u>REMARKS/ARGUMENTS</u>

Favorable reconsideration in view of the above amendments and following remarks is respectfully requested.

Claims 1 and 3-12 are currently pending in this application. By this Amendment, Claims 1 and 6-12 are amended; and no claims are canceled or added herewith. It is respectfully submitted that no new matter is added by this Amendment.

In the outstanding Office Action, Claims 1 and 3-12 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,047,376 to <u>Hosoe</u> in view of Official Notice.

With respect to the rejection of the claims under 35 U.S.C. § 103, that rejection is respectfully traversed. Applicant respectfully submits that the applied art does not teach or suggest a third storage region having an ID unique to the recording medium stored therein, with the server being configured to receive the ID and identify the type of medium from the ID, and with at least part of data downloaded from the server includes a list of selectable content data selected by the server based on the type of medium identified by the server, as similarly recited in the independent claims.

In contrast, <u>Hosoe</u> discusses that on the side of the server 1, identification information transmitted, is received by the access authentication means 17, activated and then compared to identification information "A" already stored. Based on the comparison, the client 2 is given or denied access. If provided access, then service by the server 1 starts for the client 2, which will, for example, receive necessary information. If the memory medium identification information is not registered in an identification key table 31 or not within the validity period, the authentication server 37 returns access refusal at S13 shown in Fig. 3. This procedure enables only the user who bought a CD EXTRA storing to utilize the corresponding music information via the internet 100. The music information service

accessed allows the user to obtain desired artist information and information of the artist

concert date or new music.

In <u>Hosoe</u>, one server, as shown in Fig. 6 can provide music information service,

communication education service, and version upgrade service. Each unit of memory

medium may store each medium identification number or a plurality of those numbers

beforehand, each of which may be selected by the user for his service as occasion demands.

The server holds such a table shown in FIG. 7 to identify the service and the validity period

and then provide necessary service. The server executes processing shown in Fig. 9 and uses

the identification number sent from the client and the table shown in FIG. 7 to identify

service corresponding to the identification number at S35 and to start the service at S36. If

the identification number has not been registered or its validity period has expired, such

processing as discussed with reference to FIG. 3 will be executed.

Accordingly, there is no teaching or suggestion for the features of the claimed

invention discussed above. Again, the independent claims similarly recite that the server is

configured to receive the medium ID and identify from the ID the type of medium on which

the medium ID is stored, and at least part of data downloaded <u>includes a list of content data</u>

<u>selected by the server based on the type of medium identified by the server</u>. Instead, <u>Hosoe</u>

merely discusses that each unit of memory medium may store each medium identification

number or a plurality of those numbers beforehand, each of which may be <u>selected by the</u>

<u>user</u>. The server uses the identification number sent from the client and the table shown in

FIG. 7 to identify service corresponding to the identification number provided by the user for

the requested service. As such, <u>Hosoe</u> does not identify the type of medium.

In accordance with the features of the claimed invention, and as disclosed as an

example on pages 13-14, the content server receives the medium ID and identifies the type of

the medium on which the medium ID is stored. Then, the content server transmits a list of

content data selected in accordance with the identified type of the medium. For example, if the medium in question is of the type which has a format for recording only digital audio data, then since it is considered insignificant to provide content data other than, for example, tune data, the content server transmits a list of tune data from among various types of contents. The content data list is then provided to the user, for example, information of content data names that can be downloaded, artist (producer) names and use limitations, prices of the content data and the like. The user can select favorable content data from among the displayed list and issue a request for downloading the favorable content data. The features of the claimed invention are not taught in the applied art.
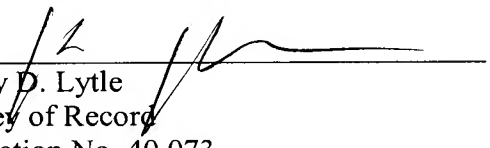
For at least the reasons set forth above, the features of the claimed invention discussed above are not taught by Hosoe. Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. § 103 is respectfully requested.

Consequently, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

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